

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims as set forth above, claims 1-9 and 21-26 are now pending in this application.

Applicants wish to thank the Examiner for the careful consideration given to the claims as well as indicating that claims 22-25 are allowed.

Rejection of claims 1, 5-8, 21, and 26 based on Rawley

Claims 1, 5-8, 21, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by GB 2373571 ("Rawley"). For at least the following reasons, this rejection is traversed.

Claim 1 (as amended) recites, among other things, at least one heat exchanger comprising two header tanks at opposing ends of the heat exchanger, each header tank having two opposing longitudinal side faces that face opposing sides of the heat exchanger and a longitudinal side face that forms one end surface of the heat exchanger, and two end walls that close opposing ends of the header tank; and a pair of module supports for holding and supporting the heat exchanger on the vehicle. Each module support is made of plastic and has a form of a slip-on box having an internal recess that fits the shape of one of the header tanks and positively surrounds the longitudinal side faces and end walls of the respective header tank. Each module support has a lower end wall, an upper end wall, a longitudinal wall connecting the upper and lower end walls of the module support, a locking hook arrangement at one of the upper and lower end walls of the module support, and a resilient snap-in hook arrangement at the other of the upper and lower end walls of the module support. The upper and lower end walls of each module support run perpendicular to the longitudinal wall of the respective module support and run parallel to the end walls of the respective header tank. Rawley does not teach or suggest this combination of features. For example, Rawley does not teach that the carrier units 20 and 22 have upper and lower end walls or any locking hook arrangement or resilient snap-in hook arrangement at an end wall.

It is asserted, however, in the Office Action using modified Figure B from Rawley (shown on Page 5 of the Office Action) that Rawley discloses upper and lower end walls of a carrier unit. Figure B from the Office Action is shown below.

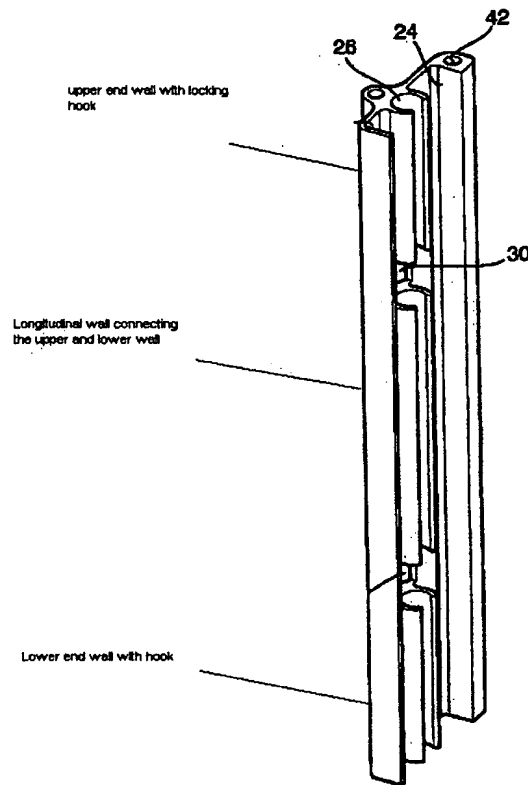


Figure B: The modified figure corresponding to figure 3 with limitation shown

The portions of the carrier unit indicated to be the upper and lower end walls in Figure B cannot be considered the upper and lower end walls of the module support of claim 1 because the indicated portions in the modified figure do not run perpendicular to the indicated longitudinal wall of the carrier unit and run parallel to the end walls of the respective header tank. Because the carrier units 20 and 22 of Rawley each does not have upper and lower end walls that run perpendicular to the longitudinal wall of the carrier unit and run parallel to the end walls of the respective header tank or any locking hook arrangement or resilient snap-in hook arrangement at an end wall, Rawley does not teach or suggest all the features of claim 1.

Claims 5-8, 21, and 26 depend from and contain all the features of claim 1, and are allowable for the same reasons as claim 1, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 2-4 based on Rawley and Laveran

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rawley in view of FR 2833691 ("Laveran"). Claims 2-4 depend from and contain all the features of

claim 1. As previously mentioned, Rawley does not teach or suggest that the carrier units 20 and 22 each has upper and lower end walls that run perpendicular to the longitudinal wall of the carrier unit and run parallel to the end walls of the respective header tank or any locking hook arrangement or resilient snap-in hook arrangement at an end wall. Laveran does not cure these deficiencies. Accordingly, no combination of Rawley and Laveran teaches or suggests all the features of claim 1 and its dependent claims 2-4. For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 9 based on Rawley and Uchikawa

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rawley in view of U.S. Patent Application Publication 2002/0023735 ("Uchikawa"). Claim 9 depends from and contains all the features of claim 1. As previously mentioned, Rawley does not teach or suggest that the carrier units 20 and 22 each has upper and lower end walls that run perpendicular to the longitudinal wall of the respective carrier unit and run parallel to the end walls of the respective header tank or any locking hook arrangement or resilient snap-in hook arrangement at an end wall. Uchikawa does not cure these deficiencies. Accordingly, no combination of Rawley and Uchikawa teaches or suggests all the features of claim 1 and its dependent claim 9. For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By P.D.S.

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